

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

ERNESTO MAGAT,

Defendant.

Case No. [14-cr-00627-SI-1](#)

**ORDER RE: MR. MAGAT'S LETTER**

Re: Dkt. Nos. 359, 361

The Court has reviewed the government's January 12, 2021 filing, a copy of which has been sent to Mr. Magat. The government states that Mr. Magat remains in the custody of the Bureau of Prisons ("BOP") while Mr. Magat is housed at the residential reentry center in Oakland, and that defendant is eligible for home confinement beginning April 1, 2021. The government also states that it "made inquiries of the BOP and is unaware of any evidence that BOP officials informed him that he met the criteria for home confinement and that he would be sent home after he was at the halfway house for a week." Dkt. No. 361 at 1.

Accordingly, the record does not support Mr. Magat's assertion that he should be immediately released from the residential reentry center into home confinement. This order resolves the issues raised by Mr. Magat's December 2020 letter.

**IT IS SO ORDERED.**

Dated: January 29, 2021



SUSAN ILLSTON  
United States District Judge